

1
2
3
4
5
6
7
8 UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
10

11 DAVID ANTHONY BREAUX,

12 Petitioner,

13 v.

14 WARDEN, San Quentin State Prison,

15 Respondent.
16

No. 2:93-cv-0570 JAM DB

DEATH PENALTY CASE

ORDER


17 The parties have jointly requested a continuation of the evidentiary hearing currently set to
18 begin on December 9, 2019 and amendment of the pre-evidentiary hearing scheduling order.
19 (ECF No. 324.) They seek permission to propose a new evidentiary hearing schedule by
20 February 25, 2020.

21 Good cause appearing, the parties' request (ECF No. 324) is granted and IT IS HEREBY
22 ORDERED that:

- 23 1. The evidentiary hearing currently scheduled to begin on December 9, 2019 is vacated;
24 2. The pre-evidentiary hearing dates set out in the court's May 1, 2019 order are vacated;
25 3. By February 25, 2020, the parties shall file a joint proposed schedule for the
26 following: (a) filing and exchanging final witness lists and exhibit lists; (b) meeting
27 and conferring regarding any possible stipulations to exhibits and foundations to
28 exhibits; (c) filing any stipulations regarding exhibits and foundations to exhibits; and

1 (d) filing any pre-hearing motions. Thereafter, the court will set a new date for the
2 evidentiary hearing.

3 Dated: October 2, 2019

4 
5
6 DEBORAH BARNES
UNITED STATES MAGISTRATE JUDGE
7
8
9
10
11
12
13
14
15
16

17 DLB:9
18 DLB1/orders.capital/breaux.evi hrg eot
19
20
21
22
23
24
25
26
27
28